

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI**



**2016 GENERAL ORDER
AMENDING LOCAL RULE 3083-1
RELATED TO THE CHAPTER 13 PLAN**

For good cause shown, and pending revision to this Court's local rules, it is hereby ORDERED that Local Rule 3083-1 as to (A), (B), (F), and (G) is amended to read:

Rule 3083-1. Chapter 13 Plan; Objections to Plans

A. Plan. Each Chapter 13 plan and amended plan must be filed using the Local Form (**See Local Forms - MOW 3083-1.1**) Notwithstanding the foregoing, if the only amendment to a plan is to change the plan payment, the Local Form need not be used; instead, a statement of the change in plan payment is sufficient. Debtor shall serve the plan on all creditors when the plan is filed and shall serve amended plans on all affected creditors.

B. Service of the Plan on the United States. The plan or summary shall be served on the United States Attorney and the appropriate agency when the United States is a party in interest. Appendix 1-9 contains a list of standard addresses of government agencies.

C. Plan Percentages. For plans or amended plans filed on or after October 1, 2008, the debtor may use 8.0% of receipts rather than the statutory maximum of 10%, for trustee fees when calculating plans. The actual percent, set by the United States Attorney General pursuant to statute, may vary during the life of the plan and may require the plan payment to be increased during the life of the plan to accommodate the percentage then in effect in order for the plan to comply with §§1322(a)(1) and 1322(d).

D. Objections to Plans. It is the duty of affected creditors and not the trustee to file objections to confirmation of plans and amended plans on all grounds for non-confirmation. The trustee may also object. Unless otherwise noticed, objections to plan confirmation must be filed within 21 days after conclusion of the § 341 meeting of creditors. Absent timely objections, the plan may be confirmed without further notice.

E. Objections to Amended Plans. Objections to amended plans are due 21 days after the amended plan is filed.

F. Wage Order to Employer.

1. Issuance of Wage Order. The Chapter 13 trustee may cause a wage order to be issued to the debtor's employer in a Chapter 13 case at any time the plan payments are more than 30 days delinquent. The 30-day delinquency is measured pursuant to § 1326 (a)(1). The debtor shall provide on Schedule I the full address for the debtor's payroll department to which the Chapter 13 trustee may cause a wage order to be issued, and shall amend Schedule I if their employment changes.

2. Vacating a Wage Order. In the event the debtor wants a wage order to the employer vacated, the debtor must file a motion to vacate the order and demonstrate that appropriate circumstances exist for the debtor's direct remittance of plan payments.

This General Order is **effective December 1, 2016** for all pending and new cases and shall remain in effect until further order or notice of this court.

/s/ Cynthia A. Norton
Cynthia A. Norton, Chief Bankruptcy Judge

/s/ Arthur B. Federman
Arthur B. Federman, Bankruptcy Judge

/s/ Dennis R. Dow
Dennis R. Dow, Bankruptcy Judge

Kansas City, Missouri
Dated: November 28, 2016